DETAILED ACTION

Information Disclosure Statement

1.   The Information Disclosure Statements filed on 03/02/2004 have been

considered. Initialed copies of the Form 1449 are enclosed herewith.

Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

Claim 10 is rejected under 35 U.S.C. 101 because the claims deal with a system

containing components (software components) and do not meet any of the statutory

items such as process (method), machine (apparatus), manufacture (product) or

composition. The system claim appears to be an apparatus claim, however, there are

no normal structures or functional elements which are required in an apparatus claim.

"*Obtaining electronically formatted sources files, obtaining information; compiling said*

source files, providing said publication", are appeared to be software modules or

computer codes or software, which are not considered as structures or structural

elements.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims are rejected under 35 U.S.C. 102(e) as being anticipated by Codignotto

(US 7,032,030).

Regarding claim 1, Codignotto discloses a method of producing an electronic

publication comprising:

obtaining electronically formatted source files from a client [...*e.g. user sends the*

message to be published to the Message Publishing System (MPS) including the files

such as audio file, image file, spreadsheet, and program files; abstract; col. 33, lines 23-

32;lines 34-35; line 45 and figure 12];

obtaining information from the client on preferences on technology to be

embedded in the publication [...*generate small, medium, or large size of the image base*

on user's preferences (col. 23, lines 22-35); user's preferences on technology to be

embedded in publication : *e.g. the image size and style* (col. 25, lines 30-43); *font color*

or embedding the text within a meta tag (col. 24, lines 38-42); *black and white color of*

message into other colors as per the user's preferences; col. 27, lines 20-22)];

compiling said source files into an electronic publication incorporating said

preferred technology [...*when receive the source files (the messages having audio files,*

image file, program files); these files are retrieved and converted/executed/complied

into one or more webpages (col. 25, lines 53-67; col. 27, lines 50-65; figures 8-11)];

providing said publication to said client and/or third parties [...*places the converted message on an Internet web server, making it accessible and reviewable by anyone using a typical web browser*; col. 8, lines 52-54; col. 6, lines 1-8; figure 3, step (360)].

Regarding claim 2, Codignotto discloses said source files are obtained through transmission by said client over the Internet or electronic mail from a remote location [...*message files are received by fax or email*; col. 6, lines 3-4; col. 10, lines 35-40 and at least figures 1, 2 and 12].

Regarding claim 3, Codignotto discloses client interacts via a website on the Internet [figures 1, 12, 14]

Regarding claim 4, Codignotto discloses said client selects tools to be embedded in said publication via a website on the Internet [...*e.g. the requestor/user could select the smaller or larger link from the medium-size webpage if they desire to see the message in a smaller or larger view*; col. 23, lines 28-35].

Regarding claim 5, Codignotto discloses wherein said client enters into a transaction for the compilation of the electronic publication [...*transaction such as: reviewer/client/user communicates with the publish message system to request for the message; transaction for payment process*; col. 16, lines 55-60; col. 20, lines 53-55; figure 3, 4(step 460); figure 5].

Regarding claim 6, Codignotto discloses said transaction includes payment for the compilation of the publication through an electronic payment mechanism on or

linked to said website [...e.g. make a payment for the service; col. 20 lines 35-36; lines 53-55].

Regarding claim 7, Codignotto discloses wherein said electronic publication includes a multi-page document having a page turn [...*e.g. ad, newspaper are available as a webpage*; (col. 8, lines 19-21); *webpages contain publish messages*; col. 24, lines 51-56; col. 27, lines 57-58].

Regarding claim 8, Codignotto discloses wherein said available preferred technology include the embedding of a font for at least part of the content of the publication [...*font color or embedding the text within a meta tag* (col. 24, lines 38-42); *black and white color of message into other colors as per the user's preferences;* col. 27, lines 20-22)].

Regarding claim 9, Codignotto discloses a method of providing electronic publishing services comprising:

providing a website on the Internet for access by clients [...e.g. Message Publishing System (MPS) converts the received message in to webpages and display on the internet fore reviewer/client/; abstract; at least figure 3]

requesting or receiving source files from said clients by electronic communication [...*e.g. user sends the message to be published to the Message Publishing System (MPS) including the files such as audio file, image file, spreadsheet, and program files;* abstract; col. 33, lines 23-32;lines 34-35; line 45 and figure 12].

compiling said source files into an electronic publication [...*when receive the source files (the messages having audio files, image file, program files); these files are*

retrieved and converted/executed/complied into one or more webpages (col. 25, lines

53-67; col. 27, lines 50-65; figures 8-11)];; and

delivering said executable electronic publication to said client or a third party

[...*places the converted message on an Internet web server, making it accessible and*

reviewable by anyone using a typical web browser; col. 8, lines 52-54; col. 6, lines 1-8;

figure 3, step (360)].

Regarding claim 10, Codignotto discloses a system for producing an electronic

publication comprising:

obtaining electronically formatted source files from a client by electronic

communication [...*e.g. user sends the message to be published to the Message*

Publishing System (MPS) including the files such as audio file, image file, spreadsheet,

and program files; abstract; col. 33, lines 23-32;lines 34-35; line 45 and figure 12];

obtaining information from the client on preferences for tools or operations of

said publication [...*generate small, medium, or large size of the image base on user's*

preferences (col. 23, lines 22-35); user's preferences on technology to be embedded in

publication : *e.g. the image size and style* (col. 25, lines 30-43); *font color or embedding*

the text within a meta tag (col. 24, lines 38-42); *black and white color of message into*

other colors as per the user's preferences; col. 27, lines 20-22)];

compiling said source files into an electronic publication incorporating said

preferred tools or operations [...*when receive the source files (the messages having*

audio files, image file, program files); these files are retrieved and

converted/executed/complied into one or more webpages (col. 25, lines 53-67; col. 27,

lines 50-65; figures 8-11)]; and

providing said publication to said client and/or third parties [...*places the*

converted message on an Internet web server, making it accessible and reviewable by

anyone using a typical web browser; col. 8, lines 52-54; col. 6, lines 1-8; figure 3, step

(360)].

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

6.   The US Patent to Dennis discloses method and system for publishing an

electronic file attached to an electronic mail message, and to Bobo II disclose system

and methods for storing delivering, and managing messages.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thuy-Vi Nguyen whose telephone number is 571-270-

1614. The examiner can normally be reached on Monday through Thursday from 8:30

A.M to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thuy-Vi Nguyen/

Examiner, Art Unit 3689

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